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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

10/700,025

Filing Date

November 3, 2003

First Named Inventor

Rak-Hyun song

Art Unit

1745

Examiner Name

Ben Lewis

Attorney Docket Number

KORE100005000

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD☐

After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☐Other Enclosure(s) (please identify
below):

Remarks

Response to Restriction Requirement - Election of Species

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

DeLio & Peterson, LLC

Signature

Printed name

Peter W. Peterson

Date

11/7/2005

Reg. No.

31,867

CERTIFICATE OF TRANSMISSION/MAILING

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Signature

Typed or printed name

Barbara Browne

Date

November 7, 2005

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DOCKET: KORE100005000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR:	Rak-Hyun Song)	EXAMINER:	Ben Lewis
)		
SERIAL NO.:	10/700,025)	ART UNIT:	1745
)		
FILING DATE:	November 3, 2003)	DATE:	November 7, 2005
)		
FOR:	Anode-Supported Flat Tubular Solid Oxide Fuel Cell Stack And Fabrication Method Of The Same			

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action mailed October 12, 2005, and the restriction requirement made therein, applicants provisionally elect Group II, claims 2-9, drawn to a method of fabricating an anode-supported flat tubular solid oxide fuel cell stack for continued examination herein.

Applicants traverse the restriction requirement on the grounds that 35 USC § 121 authorizes restriction only when the claimed invention is "independent and distinct" (emphasis added). A search of the subject matter of Group II, claims 2-9, drawn to a method of fabricating an anode-supported flat tubular solid oxide fuel cell stack would necessarily require a search of the subject matter of Group I, claim 1, drawn to an anode-

supported flat tubular solid oxide fuel cell stack using anode-supported tubes. Thus the method delineated in Group II is not directed to an independent and distinct matter.

Respectfully submitted,



Peter W. Peterson
Reg. No. 31,867

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CERTIFICATE OF MAILING

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Name: Barbara Browne
kore100005000respresq

Date: November 7, 2005

Signature: Barbara Browne